

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----x Oral Argument Requested

JOHN ALEXANDER and BRAULIA ALEXANDER,

Plaintiffs,

- against -

AMCHEM PRODUCTS, INC., et al.,

Defendants.

-----x  
**PLAINTIFFS' NOTICE OF  
MOTION TO REMAND**

Case No. 07 CV 6441 (PKC)

PLEASE TAKE NOTICE that upon Plaintiffs' Memorandum of Law In Support of Their Motion To Remand the Case To State Court, and Plaintiffs' Affirmation In Support of Their Motion To Remand, and the previous pleadings and papers in this case, Plaintiffs John Alexander and Braulia Alexander, by their attorneys, Weitz & Luxenberg, P.C., will move this Court before the Honorable P. Kevin Castel, at the United States Courthouse, 500 Pearl Street, New York, New York, on a date and at a time to be designated by the Court, pursuant to 28 U.S.C. §1447, to remand this case to New York Supreme Court, County of New York, to award Plaintiffs their costs and expenses incurred in opposing Defendant General Motors Corporation's and Ford Motor Company's removal of this case, and for such other relief

as the Court deems just and proper.

Dated: New York, N.Y.  
July 30, 2007

**WEITZ & LUXENBERG, P.C.**

Attorneys for Plaintiffs  
180 Maiden Lane, 17<sup>th</sup> Fl.  
New York, N.Y. 10038

By:

  
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TO:

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Attorneys for Volkswagen of America, Inc.  
40 Wall Street, 54<sup>th</sup> Fl.  
New York, N.Y. 10005

**AFFIRMATION OF SERVICE**

**GINA NICASIO**, being duly sworn, deposes and says that affiant is associated with the attorneys for the plaintiff(s) herein; is not a party to this action; and resides in the County of Queens, City and State of New York; and

That on the 30<sup>th</sup> day of July 2007, affiant served the within **PLAINTIFFS' NOTICE OF MOTION TO REMAND; PLAINTIFFS' AFFIRMATION IN SUPPORT OF THEIR MOTION TO REMAND; and PLAINTIFFS' MEMORANDUM OF LAW IN SUPPORT OF THEIR MOTION TO REMAND THE CASE TO STATE COURT**, on the defendants by depositing a true copy of the same securely enclosed in a post-paid federal express wrapper, marked for "priority overnight" service and delivering same to our mail clerk, who in turn in the ordinary course of business brought it to the mail room and then mailed same by delivering to an official, under the exclusive care and custody of Federal Express, within the City and State of New York, directed to attorneys, as listed on the attached moving papers.

Deponent is over the age of 18 years.

  
**GINA NICASIO**

Index No.

Year 20

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## PLAINTIFFS' NOTICE OF MOTION TO REMAND

WEITZ &amp; LUXENBERG, P.C.

Attorneys for

Plaintiffs

180 Maiden Lane  
New York, NY 10038  
(212) 558-5500

Pursuant to 22 NYCRR 130-1.1, the undersigned, an attorney admitted to practice in the courts of New York State, certifies that, upon information and belief and reasonable inquiry, the contentions contained in the annexed document are not frivolous.

Dated: ..... Signature: .....

Print Signer's Name: .....

Service of a copy of the within is hereby admitted.

Dated: .....

Attorney(s) for

## PLEASE TAKE NOTICE

Check Applicable Box

that the within is a (certified) true copy of a  
entered in the office of the clerk of the within named Court on

20

NOTICE OF

ENTRY

that an Order of which the within is a true copy will be presented for settlement to the  
Hon. one of the judges of the within named Court,  
at  
on 20 , at M.

Dated: .....

WEITZ & LUXENBERG, P.C.  
Attorneys for

To:

180 Maiden Lane  
New York, NY 10038